

RECEIVED
CENTRAL FAX CENTER

OCT 30 2007

IN THE CLAIMS:

1. (Currently amended) A cap for blocking an opening of a hollow fusion device defining a thru-hole, comprising:

an occlusion body sized and shaped for blocking the opening, said occlusion body including an outer surface, an inner surface, and an engaging surface extending from said inner surface toward said outer surface, said engaging surface configured to contact an inner surface of the fusion device around the opening; and

an elongate anchor projecting from said inner surface of said occlusion body, said anchor including a first end attached to said inner surface of said occlusion body at said engaging surface and an opposite second end having a lip for engaging the thru-hole, said anchor having a length between said first and second ends which reaches from said occlusion body to the thru-hole when the cap is inserted into the opening and said lip is engaged to said thru-hole when the thru-hole is spaced from the opening, wherein said anchor is resiliently deflectable relative to said occlusion body for insertion through said opening to engage the thru-hole of the fusion device.

2. (Currently amended) The cap of claim 1 further comprising a flange in communication with and connected with said outer wall projecting around said engaging surface from a perimeter of said occlusion body.

Claims 3-60 (cancelled)

61. (Previously presented) The cap of claim 1, wherein said occlusion body includes osteogenic apertures, said apertures sized to permit bone ingrowth and protein ingress.

Claims 62-64 (Cancelled)

65. (Currently amended) The cap of claim 1, claim 62, wherein said outer surface wall is flat.

Amendment with RCE
Ser. No. 10/624,981
Atty Docket No. MSDI-168/PC566.02
Page 2 of 10

66. (Previously presented) The cap of claim 1, further comprising a second elongate anchor projecting from said occlusion body, said elongate anchors extending transversely to said occlusion body and generally parallel to one another, said elongate anchors further each including an outwardly facing lip having a curved profile.

67. (Previously presented) The cap of claim 66, wherein said elongate anchors are resiliently moveable relative to said occlusion body.

68. (Previously presented) The cap of claim 1, wherein the cap is composed of a biocompatible polymer.

69. (Previously presented) The cap of claim 68, wherein said polymer is biodegradable.

70. (Previously presented) The cap of claim 1, wherein said occlusion body is composed of a porous material.

71. (Previously presented) The cap of claim 70, wherein said occlusion body defines an internally threaded tool engagement opening.

72. (Previously presented) The cap of claim 1, wherein said lip includes a curved profile.

73. (Previously presented) The cap of claim 1, wherein said occlusion body lies in a plane and said elongate anchor extends transversely to the plane.

74. (Previously presented) The cap of claim 73, wherein said occlusion body includes at least one osteogenic opening extending therethrough.

75. (Currently amended) A cap for blocking an opening of a hollow fusion device, comprising:

Amendment with RCE
Ser. No. 10/624,981
Atty Docket No. MSDI-168/PC566.02
Page 3 of 10

an occlusion body sized and shaped for blocking the opening, said occlusion body including a flat outer wall lying in a plane, an inner surface opposite said outer wall, and an engaging surface extending from said inner surface toward said outer wall, said engaging surface configured to contact an inner surface of the fusion device around the opening; and

an elongate anchor projecting from said inner surface of said occlusion body in a direction transverse to the plane, said anchor including a first end attached to said inner surface of said occlusion body at said engaging surface and an opposite second end, said anchor having a length which extends from said occlusion body to the second end, wherein said length and said second end are structured and configured to engage the fusion device at a location spaced from the plane and said anchor is resiliently deflectable relative to said occlusion body for insertion through the opening of the fusion device.

76. (Previously presented) The cap of claim 75, wherein said occlusion body defines at least one osteogenic aperture to permit bone growth through said occlusion body.

Claims 77-78 (Cancelled)

79. (Currently amended) The cap of claim 75, ~~claim 78,~~ further comprising a flange in communication with and connected with said outer wall projecting around said engaging surface ~~from a perimeter of said occlusion body.~~

80. (Previously presented) The cap of claim 75, further comprising a second elongate anchor projecting from said occlusion body in a direction transverse to the plane and parallel to the other elongate anchor.

81. (Previously presented) The cap of claim 80, wherein said elongate anchors are resiliently moveable relative to said occlusion body.

Amendment with RCE
Ser. No. 10/624,981
Atty Docket No. MSDI-168/PC566.02
Page 4 of 10

82. (Previously presented) The cap of claim 75, wherein said cap is composed of a biocompatible polymer.

83. (Previously presented) The cap of claim 82, wherein said polymer is biodegradable.

84. (Previously presented) The cap of claim 75, wherein said cap is composed of a porous material.

85. (Previously presented) The cap of claim 84, wherein said occlusion body defines an internally threaded tool engagement opening.

86. (Previously presented) The cap of claim 75, wherein said elongate anchor includes a lip projecting outwardly therefrom, said lip including a curved profile.

87. (Currently amended) A cap for blocking an opening of a hollow fusion device, comprising:

an occlusion body sized including an outer surface, an opposite inner surface, and an engaging surface extending from said inner surface toward said outer surface with said occlusion body sized and shaped for blocking the opening, said occlusion body including at least one osteogenic aperture extending therethrough between said outer surface and said inner surface; and

an elongate anchor projecting from said inner surface and extending transversely to said occlusion body, said anchor including a first end attached to said inner surface of said occlusion body at said engaging surface and an opposite second end, said anchor having a length which extends axially from said occlusion body to the second end, wherein said anchor is resiliently deflectable relative to said occlusion body for insertion through the opening of the fusion device with said length and said second end are structured and configured to engage the fusion device at a location axially spaced from said occlusion body.

Claims 88-89 (Cancelled)

90. (Currently amended) The cap of claim 87, further comprising a flange in communication with and connected with said outer wall projecting around said engaging surface ~~from a perimeter~~ of said occlusion body.

91. (Previously presented) The cap of claim 87, further comprising a second elongate anchor projecting from said occlusion body in a direction parallel to the other elongate anchor.

92. (Previously presented) The cap of claim 91, wherein said elongate anchors are resiliently moveable relative to said occlusion body.

93. (Previously presented) The cap of claim 87, wherein said cap is composed of a biocompatible polymer.

94. (Previously presented) The cap of claim 93, wherein said polymer is biodegradable.

95. (Previously presented) The cap of claim 87, wherein said cap is composed of a porous material.

96. (Previously presented) The cap of claim 87, wherein said occlusion body defines an internally threaded tool engagement opening.

97. (Previously presented) The cap of claim 87, wherein said elongate anchor includes a lip projecting outwardly therefrom, said lip including a curved profile.

98. (Currently amended) A cap for blocking an opening of a hollow fusion device, comprising:

an occlusion body sized and shaped for blocking the opening, said occlusion body being composed of a porous material and including an outer surface, an inner surface opposite said outer surface, and an engaging surface extending from said inner surface toward said outer surface, said engaging surface configured to contact an inner surface of the fusion device around the opening; and

an elongate anchor projecting from said inner surface and extending transversely to said occlusion body, said anchor including a first end attached to said inner surface of said occlusion body at said engaging surface and an opposite second end, said anchor having a length which extends axially from said occlusion body to the second end, wherein said anchor is resiliently deflectable relative to said occlusion body for insertion through the opening of the fusion device with said length and said second end are structured and configured to engage the fusion device at a location axially spaced from said occlusion body.

Claims 99-100 (Cancelled)

101. (Currently amended) The cap of claim 98, further comprising a flange in communication with and connected with said outer wall projecting outwardly from said engaging surface a perimeter of said occlusion body.

102. (Previously presented) The cap of claim 98, further comprising a second elongate anchor projecting from said occlusion body parallel to the other elongate anchor.

103. (Previously presented) The cap of claim 102, wherein said elongate anchors are resiliently moveable relative to said occlusion body.

104. (Previously presented) The cap of claim 103, wherein each of said elongate anchors includes a lip projecting outwardly therefrom, said lip including a curved profile.

Amendment with RCE
Ser. No. 10/624,981
Atty Docket No. MSDI-168/PC566.02
Page 7 of 10